

REMARKS

Claims 1-22 are pending in this application. Claims 1, 9 and 13 have been amended and claims 19 and 22 have been canceled without prejudice by the present Amendment. Amended claims 1, 9 and 13 do not introduce any new subject matter.

ALLOWABLE SUBJECT MATTER

The Examiner objects to claims 9 and 19 as being dependent upon a rejected base claim, and states that claims 9 and 19 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Applicants gratefully acknowledge the Examiner's indication of allowable subject matter in claims 9 and 19.

Applicants have canceled claim 19 and amended independent claim 13 to include the allowable subject matter of claim 19. As such, Applicants respectively submit that claim 13 and claims 14-18 and 20-21 dependent thereon are in condition for allowance.

Applicants have amended claim 1 to include the limitations of allowable claim 9, except for the limitation that the electrode layer is wet-etched using hydrogen peroxide. Nevertheless, Applicants respectfully submit that claim 1 as amended is in condition for allowance since the cited references do not teach the oxide layer which is one of dry-etched and wet-etched. As such, Applicants respectively submit that claim 1 and claims 2-12 dependent thereon are in condition for allowance.

REJECTION UNDER 35 U.S.C. § 102(e)

Applicants have canceled claim 22 without prejudice and respectively submit that such cancellation renders the rejection of claim 22 under 35 U.S.C. § 102(e) moot.

REJECTIONS UNDER 35 U.S.C. § 103(a)

Reconsideration is respectfully requested of (1) the rejection of claims 1-4, 6, 8, 10-15, 17, 20 and 21 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,461,914 ("Roberts") and further in view of Applicants' Admitted Prior Art (AAPA); (2) the rejection of claims 5 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Roberts and AAPA as applied to claims 1-4, 6, 8, 10-15, 17, 20 and 21, and further in view of U.S. Patent No. 6,762,109 ("Murata"); and (3) the rejection of claims 7 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Roberts and AAPA as applied to claims 1-4, 6, 8, 10-15, 17, 20 and 21, and further in view of U.S. Patent No. 4,497,107 ("Cogan").

As stated above, Applicants have amended claim 1 to include the limitation from allowable claim 9 that "the oxide layer is one of dry-etched and wet-etched". Applicants respectfully submit that claim 1 as amended is in condition for allowance since none of the cited references, when taken alone or in combination, teach the oxide layer which is one of dry-etched and wet-etched, as recited in amended claim 1.

Further, Applicants have canceled claim 19 and amended independent claim 13 to include the allowable subject matter of claim 19. As such, Applicants respectfully submit that claim 13 as amended is in condition for allowance.

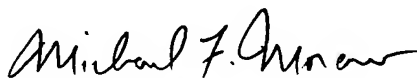
In sum, Applicants respectfully submit that amended claims 1 and 13 are patentable over the cited references. Further, for at least the reason that claims 2-8 and 10-12 depend from claim 1 and claims 14-18 and 20-21 depend from claim 13, claims 2-8, 10-12, 14-18 and 20-21 are also submitted to be patentable over the cited

references.

As such, Applicants request that the Examiner withdraw the rejections of claims 1-8, 10-18 and 20-21 under 35 U.S.C. §103(a).

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, the Examiner may telephone Applicants' Attorney to reach a prompt disposition of this application.

Respectfully submitted,

A handwritten signature in cursive script, reading "Michael F. Morano", positioned above a horizontal line.

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